

The Banks County Board of Commissioners held their regular meeting on September 8, 2015 at 6:30 p.m. in the Board Room of the Banks County Courthouse Annex.

Members Present

Chairman Jimmy Hooper
Vice Chairman Charles Turk
Commissioner David Duckett
Commissioner Danny Maxwell
Commissioner Sammy Reece

Staff Present

Finance Officer Randy Failyer
County Clerk Regina Gailey
Assistant County Clerk Erin Decker
County Attorney Randall Frost
Zoning/Code Enforcement Officer Paul Ruark

Media Present

Access North Georgia – Rob Moore
Mainstreet News – Angela Gary

1. Call to Order

Ch. Hooper called the meeting to order.

2. Approval of Agenda

Ch. Hooper stated the Facilities Use Agreement needed to be added to the agenda.
Motion to amend and approve the agenda: Jimmy Hooper
Second: Sammy Reece
Vote: 5:0
All aye votes and the motion passed.

3. Moment of Reflection

Ch. Hooper stated when he was younger he would get scolded by his mama. He also stated several weeks ago the County did some road paving and he received several complaints and thought how unappreciative people are. Ch. Hooper stated Sunday while at church he was scolded by a little voice that said “Jimmy Thomas those complaints are not that important”.

4. Pledge to the American Flag

Ch. Hooper led the Pledge to the American Flag.

5. Approval of Invoices

Motion to approve the invoices: Charles Turk
Second: Danny Maxwell
Vote: 5:0
All aye votes and the motion passed.

6. Approval of Previous Minutes- 8/11

Motion to approve the minutes: David Duckett

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

7. Planning Commission Recommendations:

a. V-15-01 – Kathryn & Jonathan Cagle – variance application to vary building setbacks at 1148 Sims Harris Road from 70 feet to 63 feet from the center of the road right-of-way.

Ch. Hooper closed the meeting and Attorney Frost opened the public hearing. Zoning/Code Enforcement Officer Paul Ruark stated this was a variance for building setbacks at 1148 Sims Harris Road from 70ft. to 63ft. from the center of the road right-of-way.

John Cagle said he currently lived in Atlanta but wanted to remodel his grandmother's house and move to Banks County. He wanted to keep the original porch and that was why he was requesting the variance.

Attorney Frost closed the public hearing and Ch. Hooper opened the meeting.

Motion to approve the variance: Jimmy Hooper

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed.

b. V-15-02 – Atlanta Sign Services – A variance application for the replacement of a sign at Banks Crossing Drive that will exceed 40 feet in height.

Ch. Hooper closed the meeting and Attorney Frost opened the public hearing.

Officer Ruark stated it was a variance for a sign at Banks Crossing Drive that would exceed 40 feet in height.

James Cromer stated each tenant wanted exposure for their business and the sign also needed updating.

Attorney Frost closed the public hearing and Ch. Hooper opened the meeting.

Motion to approve the variance: Sammy Reece

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

8. Intergovernmental Agreement – Animal Control – Hall County

Paul Ruark

Officer Ruark stated he had contacted Hall County Animal Control about bringing strays to their shelter. He stated our current contract is with Commerce Veterinary Clinic, which is always full. He stated the cost per animal with Hall County would be \$30 and they will keep the animals up to 72 hours. He stated he was also working with Jackson County to enter into an agreement.

Motion to approve the agreement: Jimmy Hooper

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

(Copy of Agreement filed in Attachment to Minutes Book #9-7)

9. 2015 Nails Creek Baptist Church Youth Hunt – Windmill Farm

Thomas Dalton

Thomas Dalton stated that the Nails Creek Men’s Ministry along with the GA DNR would like to host the annual Youth Hunt on Windmill Farms.

Motion to approve the request: Charles Turk

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

10. Eterno Lane Water Line Request

Wallace Hinson

Wallace Hinson stated he owned property on the northwest corner of Hwy. 441 and Hwy 51N. He stated currently the houses on Eterno Lane are supplied by a spring that does not have good water quality. Mr. Wallace stated he already had two properties that had agreed to County water. Public Utilities Director Steve Reece stated the valve was already there. Vice Ch. Turk stated we would at least need 3 new customers in order to run the line.

Motion to install the water line pending there are at least 3 new customers that pay for meters to be installed: Charles Turk

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

11. Board of Election Compensation Change

Andra Phagan

Election Superintendent Andra Phagan stated she would like to change the board pay to \$48 per meeting for members and \$61 per meeting for the chairman. Thereafter, the board members would get paid \$7.50 per hour when they worked. Ms. Phagan stated this would free up her budget for other workers if the board members are not available to work. She also stated that the board members had staggered terms and she would like the current members to stay at their current pay and start the new rate with the new terms.

Motion to approve the compensation change: Danny Maxwell

Second: Charles Turk

Vote: 5:0

All aye votes and the motion passed.

12. Board of Election Appointment

Andra Phagan

Ms. Phagan said her term on the Board of Elections was over and she would have to be replaced. The two names she recommended to the Commissioners were Gail Sheppard and Winnie Osborn. She stated if the Commissioners approved these names then they would go to Superior Court Judge for final approval.

Motion to approve Gail Sheppard and Winnie Osborn: Jimmy Hooper

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

13. An Ordinance to Amend Chapter 22 “Business” of the Code of Banks County so as to Create Article IV to be entitled “Business Licenses for Canvassers, Solicitors, And Peddlers”

Ms. Gailey stated the ordinance was approved last month and needed a few small changes. She stated we are adding right-of-ways in addition to streets and highways. Also a few sentences stated Business License Director and it should say Code Enforcement Officer.

Motion to approve the amendment to the resolution: Jimmy Hooper

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of Ordinance filed in Attachment to Minutes Book #9-7) 2015-16

14. Request for an extension of employee unpaid leave of absence

Arlene Ivey

Personnel Officer Arlene Ivey stated that 911/EMA Director Deidra Moore had requested an extended leave of absence for an employee until October 1, 2015.

Motion to approve the unpaid leave of absence request: Charles Turk

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

15. Drug & Alcohol Screening Policy & Procedures for Safety Sensitive Personnel Resolution

Arlene Ivey

Ms. Ivey stated the DOT requires a resolution whenever there are changes to the drug and alcohol screening policy and procedures.

Motion to approve the resolution: Jimmy Hooper

Second: David Duckett

Vote: 5:0

All aye votes and the motion passed.

(Copy of Agreement filed in Attachment to Minutes Book #9-7) 2015-17

16. County Garage

Comm. Reece stated they had been talking about a County Garage for weeks and he would like to ask permission of the Board to pursue a 40 x 80 building with two lifts. He requested \$140,000 to put the garage in motion. He said he thought it would be a good thing.

Ch. Hooper stated in his opinion we are not being good stewards of the taxpayers money if we don't go in this direction. Ch. Hooper also stated there are some great vendors that have worked with the County over the years and that do a great job. He said this places us in a better situation where we will be better organized and do a better job looking after our equipment.

Comm. Reece stated we really needed a maintenance program. Ch. Hooper stated almost every county around us had a county garage in some capacity. Vice Ch. Turk asked what kind of action was needed by the board? Ch. Hooper and Comm. Reece stated a maximum of \$140,000 for a building and equipment. Vice Ch. Turk also stated we needed to look at where the funds would come from to build the County Garage.

Comm. Maxwell asked about the funding for the employee and what he would be specialized in? Vice Ch. Turk stated this would just be for maintenance and not rebuilding engines. Ch. Hooper stated this person would be able to do almost everything except specialized repairs.

Ch. Hooper stated we spent almost \$38,000 in labor last year. Comm. Duckett stated he didn't understand how we could hire anyone who could do any type of mechanical work for less than \$38,000.

Comm. Reece stated the Sheriff Department carried a vehicle for some warranty work, to a vendor in the County. The vendor told them while they were there they needed a brake job and the bill for the brake job was \$907 and the parts were \$242.

Comm. Maxwell said his concern was, are we going to be able to get a mechanic that can do all this work for \$38,000 plus benefits. Ch. Hooper stated he thought it was a move in the right direction.

Motion to investigate and move forward on building a County Garage not to exceed \$140,000: Jimmy Hooper

Second: Sammy Reece

Vote: 3:2

Jimmy Hooper: Aye

Sammy Reece: Aye

Charles Turk: Aye

David Duckett: Nay

Danny Maxwell: Nay

Majority voted and the motion passed.

17. Pest Control Service Bid Award and Contract Approval

Assistant County Clerk Erin Decker stated pest control bids were sent out and she received three bids. They were as follows:

Arrow Exterminators \$430.00/month

Bizzy Bee Exterminators \$635.00/month

American Pest Control \$745.00/month

Ms. Decker stated she was asking for the Commissioners to approve the lowest bid and authorize the Chairman to sign the contracts.

Motion to approve Arrow Exterminators and authorize the Chairman to sign the contracts: Charles Turk

Second: Sammy Reece

Vote: 5:0

All aye votes and the motion passed.

(Copy of Contract filed in Attachment to Minutes Book #9-7)

18. Bennett Road Change Order #1 – additional paving

Comm. Duckett stated there was enough footage cleared on Bennett Road for it to be widened an extra foot which would make the widening of the road, three feet instead of two feet. He said there would not be additional labor, just additional material that would cost approximately \$12,000 - \$15,000. Ch. Hooper stated this would make the road even safer.

Motion to approve the additional paving not to exceed \$15,000: Jimmy Hooper

Second: David Duckett

Vote: 4:1

Jimmy Hooper: Aye

David Duckett: Aye

Danny Maxwell: Aye

Sammy Reece: Aye

Charles Turk: Nay

Majority voted and the motion passed.

(Copy of Change Order #1 filed in Attached to Minutes Book #9-7)

19. FY2016 Fire Protection Service Agreement – Tates Creek

\$3,000

Motion to approve the fire agreement in the amount of \$3,000: Charles Turk

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of Agreement filed in Attachment to Minutes Book #9-7)

20. GEMA Memo of Understanding – Emergency Evacuation Shelter Trailer

Randy Failyer

Finance Officer Randy Failyer stated the MOU was stating the County would keep the trailer and the supplies on hand in the County until August 31, 2016. He was requesting permission for the Chairman to sign the MOU.

Motion to authorize the Chairman to sign the MOU: Charles Turk

Second: Danny Maxwell

Vote: 5:0

All aye votes and the motion passed.

(Copy of MOU filed in Attachment to Minutes Book #9-7)

21. Candler Street Underground Storage Tank Closure Report

Ch. Hooper stated that after many, many years the County finally received a letter from EPD stating there was no further action needed on the underground storage tanks.

22. Facilities Use Policy

Ch. Hooper stated the County currently doesn't have a facilities use policy and there was a need for one. He said no action was needed at this time.

23. Executive Session

Motion to enter into executive session concerning personnel: David Duckett

Second: Danny Maxwell

Vote: 5:0

All aye votes and the executive session began at 7:00 p.m.

Motion to close the executive session: Sammy Reece

Second: David Duckett

Vote: 5:0

All aye votes and the executive session ended at 7:11 p.m.

(Copy of Executive Session Affidavit filed in Attachment to Minutes Book #9-7)

24. Adjournment

Motion to adjourn the meeting: Sammy Reece

Second: David Duckett

Vote: 5:0

All aye votes and the meeting ended at 7:12 p.m.

Chairman

Assistant County Clerk
